

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
UNITED STATES OF AMERICA
:
- v. -
:
CHARLES RILEY CONSTANT,
a/k/a “Chuck Constant,” :
Defendant. :
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FINAL ORDER OF FORFEITURE

23 Cr. 379 (PKC)

WHEREAS, on or about July 27, 2023, this Court entered a Consent Preliminary Order of Forfeiture as to Specific Property/Money Judgment (the “Preliminary Order of Forfeiture”) (D.E. 23), which ordered the forfeiture to the United States of all right, title and interest of CHARLES RILEY CONSTANT (the “Defendant”) in the following property:

- a. The following items, seized pursuant to judicial seizure warrants dated March 20, 2023:

- (1) Cryptocurrency ATMs with the following serial numbers:

BT105179
BT105180
BT104798
BT105526
BT105910
BT105911
BT105912
BT108816
BT108817
BT108819
BT111785
BT111786
BT111787
BT111793
BT111794
BT111804
BT111866
BT111865
BT111864

- (2) \$42,700 in United States currency from a Brink's Inc. safe located at 1300 S. McDonald Street, McKinney Texas;
- (3) \$14,507.23 in United States currency from Cadence Bank account number 78665403, held in the name of Coindawg LLC;
- (4) \$31,594.11 in United States currency and 0.017 in Bitcoin from the Coinbase account associated with user identification number 60EF2710F03C3F0006050C66, held in the name of Coindawg LLC;
- (5) The domain name Coindawg.net (the "Domain");

b. The following assets seized pursuant to a judicial seizure warrant dated March 31, 2023:

- (1) \$4,657.22 in United States currency from Cadence Bank account number 79674362, held in the name of Grafox LLC;
- (2) \$5,627.95 in United States currency from Cadence Bank account number 79674289, held in the name of Grafox LLC; and

c. \$4,768.10 in United States currency seized pursuant to a judicial seizure warrant dated May 9, 2023 from account number U5779545 at Interactive Brokers LLC;

(a. through c., collectively, the "Specific Property");

WHEREAS, the Preliminary Order of Forfeiture directed the United States to publish, for at least thirty (30) consecutive days, notice of the Preliminary Order of Forfeiture, notice of the United States intent to dispose of the Specific Property, and the requirement that any person asserting a legal interest in the Specific Property must file a petition with the Court in accordance with the requirements of Title 21, United States Code, Sections 853(n)(2) and (3). Pursuant to Section 853(n), the United States could, to the extent practicable, provide direct written notice to any person known to have an alleged interest in the Specific Property and as a substitute for published notice as to those persons so notified;

WHEREAS, the provisions of Title 21, United State Code, Section 853(n)(1), Rule 32.2(b)(6) of the Federal Rules of Criminal Procedure, and Rules G(4)(a)(iv)(C) and G(5)(a)(ii) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, require

publication of a notice of forfeiture and of the Government's intent to dispose of the Specific Property before the United States can have clear title to the Specific Property;

WHEREAS, the Notice of Forfeiture and the intent of the United States to dispose of the Specific Property was posted on an official government internet site (www.forfeiture.gov) beginning on August 11, 2023, for thirty (30) consecutive days, through September 9, 2023, pursuant to Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty and Maritime Claims and Asset Forfeiture Actions and proof of such publication was filed with the Clerk of the Court on May 10, 2024 (D.E. 42);

WHEREAS, on or about September 5, 2023, notice of the Consent Preliminary Order of Forfeiture was sent by electronic mail to the Small Business Administration (the "SBA");

WHEREAS, on or about November 21, 2023, notice of the Consent Preliminary Order of Forfeiture was sent via certified mail, return receipt requested, and on December 27, 2023 via First Class mail, to Meredith Constant;

WHEREAS, thirty (30) days have expired since final publication of the Notice of Forfeiture and no petitions or claims to contest the forfeiture of the Specific Property have been filed;

WHEREAS, the Defendant, the SBA and Meredith Constant are the only people and/or entities known by the Government to have a potential interest the Specific Property; and


WHEREAS, pursuant to Title 21, United States Code, Section 853(n)(7), the United States shall have clear title to any forfeited property if no petitions for a hearing to contest the forfeiture have been filed within thirty (30) days of final publication of notice of forfeiture as set forth in Title 21, United States Code, Section 853(n)(2);

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

1. All right, title and interest in the Specific Property is hereby forfeited and vested in the United States of America and shall be disposed of according to law.
2. Pursuant to Title 21, United States Code, Section 853(n)(7) the United States of America shall and is hereby deemed to have clear title to the Specific Property.
3. The United States Customs and Border Protection (or its designee) shall take possession of the Specific Property and dispose of the same according to law, in accordance with Title 21, United States Code, Section 853(h).

Dated: New York, New York
May 14, 2024

SO ORDERED:



HONORABLE P. KEVIN CASTEL
UNITED STATES DISTRICT JUDGE